

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1745.01
COMPLAINT INVESTIGATOR: Sandie Scudder
DATE OF COMPLAINT: May 4, 2001
DATE OF REPORT: June 1, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: June 27, 2001

COMPLAINT ISSUES:

Whether the MSD of Washington Township violated:

- 511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's individualized education plan (IEP) as written, specifically, failing to provide captioning for a video presentation.

During the course of the investigation, another issue was identified, which is:

- 511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's IEP as written, specifically, failing to provide an auditory trainer for a presenter during a school assembly.

FINDINGS OF FACT:

1. The Student is 10 years old, is in the fourth grade, and is eligible for special education and related services as a student with a hearing impairment.
2. The IEP dated December 13, 2000, states that in order for the Student to participate effectively in the grade-level curriculum, the Student needs an assistive listening device and closed captioned videos. If a closed captioned video is not available, the Student is to be given a printed copy of the video dialogue.
3. The Student's 4th grade class was shown a video as part of the general education curriculum. The video was not closed captioned, and the school did not provide the Student with a printed copy of the video dialogue. The director of special education acknowledged that this occurred, and the school principal has issued a memo to all building staff that video captioning is to be turned "on" on all video monitors.
4. During a school assembly, the presenter was not given an auditory trainer to wear while talking to the students. The Student was not seated where he could speech read, so the Student was unable to understand the presenter's lecture. The school principal has issued a memo to the classroom teacher reminding her that outside presenters are to be provided with an auditory trainer so the Student can benefit from the presentation.

CONCLUSION:

Finding of Facts #2, #3, and #4 indicate that the School failed to implement the Student's IEP by not providing video captioning and an auditory trainer to enable the Student to be an active participant in the learning environment. Therefore, a violation of 511 IAC 7-27-7(a) occurred. However, because the school has taken appropriate corrective action to ensure that the video captioning and auditory trainer are provided, no further corrective action will be required.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: June 1, 2001